

on the southwest coast of Florida. It has no local television service.

3. In view of the fact that Tice could receive its first local television broadcast service, we believe that the public interest would be served by assigning UHF television Channel 49 to that community. The channel can be assigned in compliance with the minimum distance separation requirements of § 73.610 of the Commission's Rules.

§ 73.606 [Amended]

4. Accordingly, pursuant to the authority contained in sections 4(i), 5(c)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.61, 0.204(b) and 0.283 of the Commission's Rules, it is ordered, That effective June 11, 1984, the Television Table of Assignments, § 73.606(b) of the Commission's Rules, is amended for the community listed below as follows:

City	Channel No.
Tice, Florida.....	49

5. It is further ordered, That this proceeding is terminated.

6. For further information concerning the above, contact Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 84-9649 Filed 4-10-84; 8:45 am]

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47 CFR Parts 73 and 74

Oversight of the Radio and TV Broadcast Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order makes corrections, additions and updating revisions of the Alphabetical Indices to Parts 73 and 74 of the FCC's Rules. This action is necessary to update these indices.

DATE: Effective April 4, 1984.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Steve Crane, Mass Media Bureau, (202) 632-5414.

List of Subjects In 47 CFR Parts 73 and 74

Radio and TV Broadcasting.

Order

In the Matter of Oversight of the Radio and TV Broadcast Rules.

Adopted: March 29, 1984.

Released: April 4, 1984.

By the Chief, Mass Media Bureau.

1. In this Order, the Commission corrects, updates and adds listings to the Alphabetical Indices to Parts 73 and 74 of its rules. 47 C.F.R. Parts 73 and 74.

2. Our experience in alphabetically indexing the broadcast rules in Parts 73 and 74 clearly indicates that this makes possible the location of regulations quickly and easily. This fast access has brought about a better understanding of our rules by broadcasters and practitioners due to their ready availability. We also perceive that providing easy access to the rules has reduced considerably the number of letters and phone calls to the FCC requesting help in rule location, thereby minimizing paperwork and administrative workload on the FCC staff, broadcasters and their legal and engineering advisors.

3. No substantive changes are made herein which impose additional burdens or remove provisions relied upon by licensees or the public. We conclude, for the reasons set forth above, that these revisions to Parts 73 and 74 will serve the public interest.

4. These amendments are implemented by authority designated by the Commission to the Chief, Mass Media Bureau. Inasmuch as these amendments impose no additional burdens and raise no issue upon which comments would serve any useful purpose, prior notice of rule making, effective date provisions and public procedure thereon are unnecessary pursuant to the Administrative Procedures and Judicial Review Act provisions of 5 U.S.C. 553(b)(3)(B).

5. Since general notice of proposed rule making is not required, the Regulatory Flexibility Act does not apply.

6. Therefore, it is ordered, That pursuant to Sections 4(i), 303(r) and 5(d)(1) of the Communications Act of 1934, as amended, and § 0.61 and 0.283 of the Commission's Rules, Parts 73 and 74 of the FCC Rules and Regulations are amended as set forth in the attached appendix, effective April 4, 1984.

7. For further information on this Order, contact Steve Crane, Mass Media Bureau, (202) 632-5414.

Federal Communications Commission.

James C. McKinney,

Chief, Mass Media Bureau.

Appendix A

The alphabetical index appearing at the beginning of Part 73 is revised and updated to read as follows:

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Aural STL/Relays.....	74.582
TV Auxiliaries.....	74.682
LPTV/TV Translators.....	74.783
Low Power Auxiliaries.....	74.882
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FM Translators/Boosters.....	74.1283
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Station license period (All Services).....	74.15
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Temporary authorizations:	
Remote Pickup.....	74.433
Aural STL/Relays.....	74.537
TV Auxiliaries.....	74.633
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Time of operation:	
Exper. TV.....	74.183
Exper. Facsimile.....	74.283
Developmental.....	74.383
LPTV/TV Translators.....	74.763
ITFS.....	74.963
FM Translators/Boosters.....	74.1263
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Exper. TV.....	74.181
Exper. Facsimile.....	74.281
Developmental.....	74.381
Remote Pickup.....	74.484
Aural STL/Relays.....	74.581
TV Auxiliaries.....	74.681
LPTV/TV Translators.....	74.781
ITFS.....	74.981
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Type acceptance of equipment:	
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Remote Pickup	74.451
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Low Power Auxiliaries	74.851
ITFS	74.952
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Unattended operation:	
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TV Auxiliaries	74.635
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V-W-X-Y-Z	

[FR Doc. 84-9646 Filed 4-10-84; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****49 CFR Part 172 and 173**

[Docket No. HM-166-O; Amdt. No. 172-91, 173-174]

Deletion of Certain Commodity Entries

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Final rule; petitions for reconsideration and corrections.

SUMMARY: The purpose of this document is to respond to eleven petitions for reconsideration of the final rule issued under this Docket. Ten of these petitions are granted, in part, by restoring the proper shipping name "Resin solution", Flammable liquid. That entry was removed without prior notice as required by the Administrative Procedure Act. Another petition, which sought to stay the effective date of the final rule until such time as the proper shipping names are removed from corresponding international regulations, is denied. In addition, two editorial errors which appeared in the final rule are corrected.

EFFECTIVE DATE: These amendments are effective September 30, 1984, however, compliance with the regulations as hereby amended is authorized as of April 6, 1984.

FOR FURTHER INFORMATION CONTACT: Irving R. Abis, Exemptions and Regulations Termination Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau, 400 7th Street SW., Washington, D.C. 20590. (202) 472-2726.

SUPPLEMENTARY INFORMATION: On November 17, 1983, MTB published a

final rule in Docket HM-166-O (48 FR 52306) which removed certain entries (proper shipping names) from the Hazardous Materials Table (HMT) § 172.101, effective September 30, 1984. The MTB received eleven petitions for reconsideration of that rule. The following is a summary of the petitions.

One petitioner complained that removing entries from the HMT results in inconsistencies between the two tables found in §§ 172.101 and 172.102. MTB wrote to this petitioner asking for further clarification of that complaint. In response, the petitioner modified the petition by urging MTB to make the rule effective only after international bodies delete the same entries from their list of shipping names. The petitioner contends that requiring different proper shipping names for domestic and international shipments leads to confusion on the part of shippers.

MTB does not agree that the effective date of the final rule should be postponed until international bodies have deleted the same entries from their lists. MTB has submitted a paper to the United Nations Committee of Experts on the Transport of Dangerous Goods recommending that the entries removed from the HMT be removed from the list in Chapter 2 of its Recommendations. Indeed many of those names appear on the international lists only because the international bodies drew heavily on the HMT in their initial choice of descriptions.

Several of the materials removed from the HMT do not satisfy the definition of any specific DOT hazard class. They were regulated in a class (ORM-C) that is not recognized by international bodies. That situation can cause greater confusion for shippers, both domestically and internationally, than inconsistency between the two tables.

The other ten petitioners objected to the deletion of the proper shipping name "Resin solution", Flammable liquid. In the preamble to the final rule, it was stated that the entry "Resin solution", Flammable liquid was inadvertently left out of the notice and that proper shipping name also was being removed. Although MTB still believes that the proper shipping name is vague, the entry is restored to the HMT because of the procedural error that did not give an opportunity for public comment on its removal. Several of these petitioners objected also to the removal of the entry "Resin solution", Combustible liquid. This entry was in the notice of proposed rulemaking, Notice No. 82-4 (47 FR 25157) and public comment was received and addressed in the preamble

to the final rule. The petitioners did not furnish adequate justification to support a change in that amendment.

The entry "Road asphalt" was not removed in the final rule but was inadvertently removed from § 173.131. This document corrects that error by adding "Road asphalt" in the heading and text of § 173.131. Also, the entry "Paper scrap" was removed from the HMT but the corresponding section in Part 173 was not removed. That oversight is corrected in this document by removing § 173.1075.

The Materials Transportation Bureau has determined that this document will not result in a "major rule" under the terms of Executive Order 12291 or a significant regulation under DOT's regulatory policy and procedures (44 FR 11034), nor require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321 *et seq.*).

Based on limited information available concerning size and nature of entities likely to be affected by this amendment, I certify that this amendment will not have a significant economic impact on a substantial number of small entities because the overall economic impact of this amendment will be minimal. A regulatory evaluation and environmental assessment of the final rule are available for review in the docket. The economic impact of this document has been found to be so minimal that further evaluation is unnecessary.

List of Subjects**49 CFR Part 172**

Hazardous materials transportation, Labeling Packaging and containers

49 CFR Part 173

Hazardous materials transportation, Packaging and containers.

In consideration of the foregoing, 49 CFR Parts 172 and 173 are amended as follows:

PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

1. In § 172.101, the Hazardous Materials Table is amended by adding the following entry:

§ 172.101 Purpose and use of hazardous materials table.

* * * * *

HAZARDOUS MATERIALS TABLE

+ EAW	Hazardous Materials description and proper shipping names	Hazard class	Identification number	Label(s) required (if not excepted)	Packaging		Maximum net quantity in one package		Water shipments		
					Exceptions	Specific requirements	Passenger carrying aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other requirements
(1)	(2) * * * (ADD) * * *	(3)	(3)(a)	(4)	(5)(a)	(5)(b)	(6)(a)	(6)(b)	(7)(a)	(7)(b)	(7)(c)
	Resin solution (resin compound, liquid).	Flammable liquid.....	UN 1866.....	Flammable liquid.....	173.118	173.119	1 quart.....	55 gallons.....	1, 2	1	

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

2. In § 173.131, the heading and the introductory text of paragraph (a) are revised to read as follows:

§ 173.131 Road asphalt, or tar, liquid.

(a) Road asphalt, or tar, liquid, must be packed in specification containers as follows:

* * * * *

§ 173.1075 [Removed and reserved]

3. Section 173.1075 is removed and reserved.

(49 U.S.C. 1803, 1804, 1808; (49 CFR 1.53, Appendix A to Part 1).)

Issued in Washington, D.C. on April 4, 1984.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 84-9766 Filed 4-10-84; 8:45 am]

BILLING CODE 4910-80-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Guam Rail

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Emergency rule.

SUMMARY: The Service determines endangered status for the Guam rail, a flightless bird found only in the Territory of Guam. This species has declined drastically in numbers and distribution. An emergency situation exists, because one of the last substantial groups occurs in an area in which land clearing operations are about to be started by the U.S. Air Force. This rule immediately implements the protection of the Endangered Species Act of 1973, as amended, for the Guam rail.

DATES: This emergency rule is effective on April 11, 1984, and expires on December 7, 1984.

ADDRESS: The complete file for this rule is available for inspection during normal business hours, by appointment, at the Service's Office of Environmental Services, 300 Ala Moana Boulevard, Room 6307, Honolulu, Hawaii 96850.

FOR FURTHER INFORMATION CONTACT: Mr. Sanford R. Wilbur, U.S. Fish and Wildlife Service, Lloyd 500 Building, Suite 1692, 500 N.E. Multnomah Street, Portland, Oregon 97232, (503/231-6131 or FTS 429-6131).

SUPPLEMENTARY INFORMATION:

Background

The Guam rail (*Rallus owstoni*) was described by Rothschild in 1895. It is a flightless bird with relatively long legs and small wings. The upper parts are largely dark in color, the throat and upper breast are near gray, and the lower parts are blackish with white barrings. The species is known only from the Territory of Guam in the Western Pacific Ocean. It formerly occurred in grassy areas, forests, and marshlands throughout the island. A drastic numerical and distributional decline began about 1971. The precise cause is not yet known, but a 1983 census indicated that fewer than 100 individuals survive.

A petition sent to the Service on August 28, 1976, by the Honorable Ricardo J. Bordallo, Governor of Guam, requested that the Guam rail, among other animals, be added to the U.S. List of Endangered and Threatened Wildlife. Another petition, sent to the Service on November 24, 1980, by the International Council for Bird Preservation, also requested the listing of the Guam rail, among other birds.

In the Federal Register of May 18, 1979 (44 FR 29128-29130), the Service issued a notice of review of status for the animals that were the subjects of the petition from the Governor of Guam. In the Federal Register of May 12, 1981 (46 FR 26464-26469), the Service published a notice accepting the petition from the

International Council for Bird Preservation, and announcing a status review of the subject birds. In the Federal Register of December 30, 1982 (47 FR 58454-58460), the Guam rail was included in category 1 of the Service's Review of Vertebrate Wildlife, meaning that there was then thought to be substantial information on hand to support the biological appropriateness of a listing proposal. In the Federal Register of November 29, 1983 (48 FR 53729-53733), the Service published a proposed rule to determine endangered status for the Guam rail. In the Federal Register of January 20, 1984 (49 FR 2485-2488), as corrected on February 16, 1984 (49 FR 5977), the Service published the finding that the listing of the Guam rail and certain other species covered by the petition from the International Council for Bird Preservation was warranted but precluded by other listing activity. The seeming discrepancy between this publication and the earlier proposal to list some of these same birds is explained by the fact that the actual finding had been made by the Service on October 13, 1983, but publication was delayed until January 20, 1984.

Summary of Factors Affecting the Species

After a thorough review and consideration of all information available, the Service has determined that the Guam rail should be classified as endangered. Procedures found at Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations promulgated to implement the listing provisions of the Act (codified at 50 CFR Part 424; under revision to accommodate 1982 Amendments—see proposal at 48 FR 36062, August 8, 1983) were followed. A species may be determined to be endangered or threatened due to one or more of the five factors described in Section 4(a)(1). These factors and their application to the Guam rail are as follows:

A. The present or threatened destruction, modification, or curtailment of its habitat or range. The Guam rail

once occurred throughout Guam in grassland, forest, and marsh habitats. Since about 1971, surveys show that there has been a precipitous drop in range and numbers. A 1983 survey indicated that fewer than 100 individuals survive, and that these are distributed in several small, discontinuous groups in extreme northern Guam. The reduction probably has resulted in part from destruction of native habitat by human activity. Nonetheless, the overall rapid decline in recent years appears to have involved some factor in addition to habitat loss.

B. Overutilization for commercial, recreational, scientific, or educational purposes. Overutilization by people is not thought to have been a major factor in the decline of the Guam rail, but the species was hunted legally as a game bird until 1973.

C. Disease or predation. The spread of avian diseases is currently a prime suspect as a main factor in the recent decline of the Guam rail, as well as certain other species on the island. To date, no particular disease has been identified, but relevant investigations are now being made by the Guam Aquatic and Wildlife Resources Division, funded through the Federal Pittman-Robertson Program and Section 6 of the Endangered Species Act. There are some similarities in pattern between the disappearance of birds on Guam and in other areas where disease is thought to have been a major problem. An introduced tropical mosquito (*Culex quinquefasciatus*), now common on Guam, was implicated in the disappearance of many of Hawaii's native birds, by acting as a vector for the spread of avian malaria and other diseases.

Predation by introduced animals is also suspected as a major contributing cause of the observed declines. The brown tree snake, sometimes known as the Philippine rat snake (*Boiga irregularis*), is now widespread on Guam. A specimen was collected with a nearly full grown Guam rail in its stomach. The introduced monitor lizard (*Varanus indicus*) is also common on the island and is a potential predator of birds. Cats, rats, dogs, and hogs, all brought to Guam through human agency, also may threaten the flightless Guam rail.

D. The inadequacy of existing regulatory mechanisms. The Guam rail was classified as endangered by the Territory of Guam on September 24, 1981, and is thus protected by the Endangered Species Act of Guam (Pub. L. 15-36). This protection, however, does not require Federal agencies to insure that their actions are not likely to

jeopardize the species, does not affect interstate commerce, and does not provide a basis for the substantial financial and technical assistance that will probably be necessary for a successful conservation program.

E. Other natural or manmade factors affecting its continued existence. DDT and other chlorinated hydrocarbons were employed extensively on Guam during World War II, and there has since been widespread use of agricultural insecticides. Preliminary results of a 1981 study indicate that pesticides are not now a problem, though they may have impacted birds in the past. An additional cause of mortality to the flightless Guam rail is being struck by motor vehicles on roads.

The decision to determine endangered status for the Guam rail was based on an assessment of the best available scientific information and of past, present, and probable future threats to the species. A determination of critical habitat is not considered prudent. A decision to take no action would exclude the Guam rail from needed protection pursuant to the Endangered Species Act. A decision to determine only threatened status would not adequately express the drastic numerical and distributional decline of the species and the continued jeopardy of the remaining population. Therefore, no action or listing as threatened would be contrary to the intent of the Act.

Reasons for Emergency Determination

As stated above, the Guam rail has declined drastically in range and numbers, and now fewer than 100 individuals are thought to survive. These birds are distributed in several small, discontinuous groups at the northern end of Guam, in the vicinity of Andersen Air Force Base. Air Force authorities are about to begin land clearing operations in an area occupied by one of these groups. Such activity might drive the birds into less favorable areas and destroy the vegetative cover on which they depend. Continuation of such habitat destruction would probably result in the swift extinction of the species. Therefore, an emergency situation exists, and immediate implementation of the protective provisions of the Endangered Species Act is considered necessary. Such implementation could result in measures to save the species (see "Available Conservation Measures," below).

Critical Habitat

Section 4(a)(3) of the Endangered Species Act, as amended, requires that "critical habitat" be designated, "to the maximum extent prudent and

determinable," concurrent with the determination that a species is endangered or threatened. Section 4(b)(6)(C) further indicates that a concurrent critical habitat determination is not required if the Service finds that a prompt determination of endangered or threatened status is essential to the conservation of the involved species. In the case of the Guam rail, the Service finds that a determination of critical habitat is not prudent. Such a determination would result in no known benefit to the species and would delay completion of this rule. A prompt determination of endangered status is essential to the conservation of the Guam rail. As explained above, this species is on the verge of extinction and an emergency situation exists. The immediate implementation of the provisions of the Endangered Species Act is considered necessary, so that protection can be established and conservation measures initiated. Therefore, a concurrent critical habitat determination is not required.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened pursuant to the Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Act provides for land acquisition and cooperation with States, and requires recovery actions. Such actions are initiated by the Service following listing. The protection required by Federal agencies, and taking and harm prohibitions, are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR Part 402, and are now under revision (see proposal in Federal Register of June 29, 1983, 48 FR 29989). Section 7 requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into consultation with the Service. In the case of the Guam rail, as explained above under "Reasons for

Emergency Determination," land clearing operations by the U.S. Air Force may be jeopardizing the existence of the species.

The Act and its implementing regulations found at 50 CFR 17.21 set forth a series of general prohibitions and exceptions that apply to all endangered wildlife. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to take, import or export, ship in interstate commerce in the course of a commercial activity, or sell or offer for sale any Guam rail in interstate or foreign commerce. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been illegally taken. Certain exceptions apply to agents of the Service and the Guam Aquatic and Wildlife Resources Division.

Permits may be issued to carry out otherwise prohibited activities involving endangered wildlife under certain circumstances. Regulations governing such permits are codified at 50 CFR 17.22 and 17.23. Such permits are available for scientific purposes or to enhance the propagation or survival of

the species. In some instances, permits may be issued during a specified period of time to relieve undue economic hardship that would be suffered if such relief were not available.

The Service will now review the Guam rail to determine whether it should be considered for placement on the appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora or for other appropriate international agreements.

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined by the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to Section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the *Federal Register* on October 25, 1983 (48 FR 49244).

Author

The primary author of this rule is Ronald M. Nowak, Office of Endangered Species, U.S. Fish and Wildlife Service,

Washington, D.C. 20240, (703/235-1975 or FTS 235-1975).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Regulations Promulgation

PART 17—[AMENDED]

Accordingly, until December 7, 1984, Part 17, Subchapter B of Chapter I, title 50 of the Code of Federal Regulations, is amended as set forth below:

1. The authority citation for Part 17 reads as follows:

Authority: Pub. L. 83-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531 *et seq.*).

2. Section 17.11(h) is amended by adding the following, in alphabetical order, to the List of Endangered and Threatened Wildlife under "BIRDS:"

§ 17.11 Endangered and threatened wildlife.

(h) * * *

SPECIES		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
BIRDS:							
Rail, Guam.....	<i>Rallus owstoni</i>	Western Pacific Ocean: U.S.A. (Guam).....	do.....	E.....	146	NA.....	NA.....

Dated: April 9, 1984.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 84-9808 Filed 4-10-84; 8:45 am]

BILLING CODE 4310-07-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

[Docket No. 30873-4017]

Foreign Fishing

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Interim rule with request for comments.

SUMMARY: NOAA issues an interim rule to amend the foreign fishing regulations. This action implements NOAA's authority under 204(b) of the Magnuson Fishery Conservation and Management Act. Under the rule, the Secretary may require payments of financial

assurances before foreign fishing permits are issued and may make foreign fishing permits effective for periods less than the balance of the calendar year. NOAA requests comments on the guidelines under which financial assurances would be required. This rule would allow NOAA to use the permit process to further conservation and management objectives.

DATES EFFECTIVE: May 11, 1984.

Comments on § 611.22(c) must be received on or before May 29, 1984.

FOR FURTHER INFORMATION CONTACT: John D. Kelly, 202-634-7432.

SUPPLEMENTARY INFORMATION:

Background

NOAA published the foreign fishing fee schedule for 1984 in two segments. The proposed rulemaking (NPR) for the first segment was published at 48 FR

41786 on September 19, 1983. It stated that the Secretary may require certain financial assurances from foreign applicants prior to issuing permits and may limit the period of time that permits are effective. The NPR also proposed 1984 permit fees, waived a surcharge, and addressed technical matters. Public comments were invited on the proposed rule for 30 days ending October 19, 1983. The comment period was extended for an additional 15 days, to November 3, 1983, on October 27, 1983, at 48 FR 49668. On December 30, 1983, NOAA published a final rule effective January 1, 1984, to establish the 1984 permit fees and to waive the surcharge but delay issuing a final rule on payments of financial assurances and conditioning the effective dates of permits. NOAA advised concerned parties that it will continue to exercise its authority under